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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,667	03/22/2005	Magne Mathias Moe	1935-00148	8644
26753	7590	12/29/2005	EXAMINER	
ANDRUS, SCEALES, STARKE & SAWALL, LLP 100 EAST WISCONSIN AVENUE, SUITE 1100 MILWAUKEE, WI 53202			NEWVILLE, TONI E	
			ART UNIT	PAPER NUMBER

3671

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/528,667	MOE, MAGNE MATHIAS	
	Examiner	Art Unit	
	Toni Newville	3671	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/22/2005</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Bridges, US 5944111.

Regarding claim 1, Bridges discloses a device for tensioning and relieving an inner tubing (25) extending from a subsea hydrocarbon well up through a riser (13) to a floating installation, a continuous inner tubing extension (84) passing through a telescopic unit (63) in the upper section of the riser (13), extending above a production deck on the floating installation (column 4 lines 20-25), characterized in that the inner tubing (25) is provided with a tubing tensioner unit (generally 53) below and in the proximity of the lower end of the telescopic unit (63).

Regarding claim 2, the tubing tensioner unit (generally 53) comprises means, the means being a latch (53; column 4 lines 61-64) designed to connect the inner tubing (25, via 73) to the riser (13).

Regarding claim 4, the device is characterized in that the tubing tensioner unit (generally 53) comprises means (column 4 lines 61-64) designed to maintain an amount of tension in the inner tubing.

Regarding claim 7, an upper end portion of the inner tubing extension (84) is connected to a tensioning device (84; column 4 lines 65-66).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bridges, US 5944111, in view of Gillis, US 6439321.

Regarding claim 3, Bridges discloses that the tubing tensioner unit (generally 53) above comprises a tubular cylinder (55) provided with a latch (53) designed to engage a lower face (51) in an annular internal recess (51) in a housing integrated into the riser (Fig. 1A). Bridges fails to disclose several spring-loaded ratchets designed to engage the lower face.

Like Bridges, Gillis discloses a device for latching an inner tubular member to an outer riser. Unlike Bridges, the device of Gillis includes a plurality of spring-loaded ratchets (226, 228) that engage a face in an annular internal recess (column 19 lines 1-11).

Given the suggestion in Gillis, it would have been obvious to one of ordinary skill in the art to replace the latch (Bridges; 53) of Bridges with the spring-loaded ratchets (Gillis; 226, 228) of Gillis because spring-loaded latching devices are commonly known in the art because of their ability to provide a rapid, simple attachment means that resists tubular movement in one direction.

5. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bridges, US 5944111, in view of Gillis, US 6439321, and further in view of Gano, US 4702320.

Regarding claim 5, the combination of Bridges and Gillis discloses a device for tensioning and relieving an inner tubular member as described above, including a tubular cylinder (Bridges; 55). The combination fails to disclose the tubular cylinder being provided with a piston rod comprising coupling means designed to be connected to corresponding coupling means on the inner tubing (Bridges; 25) and the inner tubing extension (Bridges; 84).

Art Unit: 3671

Like the combination, Gano discloses a device for tensioning and relieving a tubular member, including a tubular cylinder (25), an inner tubing (22), and an outer tubing (29). Unlike the combination, Gano further discloses the tubular cylinder (25) being provided with a tubular piston rod (22) comprising coupling means (31) designed to be connected to corresponding coupling means (31) on the inner tubing (22).

Given the suggestion in Gano, it would have been obvious to one of ordinary skill in the art to include a tubular piston rod (Gano; 22) on the tubular cylinder (Bridges; 55) of the combination to allow for relative movement of the inner tubing with respect to the riser so as to allow the two elements to be tensioned separately, thereby improving the compensation of the tubing system to vessel movement while minimizing damaging strains on the inner tubing and riser.

Regarding claim 6, the combination of Bridges and Gillis discloses a device for tensioning and relieving an inner tubular member as described above, including a tubular cylinder (Bridges; 55). The combination fails to disclose the tubular cylinder being designed to receive a hydraulic pressure in a cylinder chamber below a piston.

Like the combination, Gano discloses device for tensioning and relieving a tubular member, including a tubular cylinder (25), an inner tubing (22) and an outer tubing (29). Unlike the combination, Gano further discloses the tubular cylinder (25) being designed to receive a hydraulic pressure in a cylinder chamber below a piston (column 4 lines 54-58).

Art Unit: 3671

Given the suggestion in Gano, it would have been obvious to one of ordinary skill in the art to include a cylinder chamber below a piston in the tubular cylinder (Bridges; 55) so that vessel movement can be compensated for without inducing mechanical stress on the compensator equipment (Gano; column 5 lines 7-10)

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bridges, US 5944111, in view of Vincken et al., US 3681928.

Bridges discloses a device for tensioning and relieving an inner tubing as described above, including a tensioning device (84; column 4 lines 65-66). Bridges fails to disclose the tensioning device comprising several pulleys, one or more wires and one or more counterweights.

Like Bridges, Vincken discloses a device for tensioning and relieving a tubular member, including a tensioning device (generally 16). Unlike Bridges, Vincken further discloses the tensioning device comprising several pulleys (8, 15), one or more wires (6) and one or more counterweights (7).

Given the teaching in Vincken, it would have been obvious to one of ordinary skill in the art to replace the tensioning device of Bridges with the pulley, wire and counterweight device of Vincken because the use of pulleys, wires and counterweights as a tensioning device allows for automatic compensation of vessel movement, allowing for uniform tension in the tubing over time and eliminating the need for operator adjustment.

Conclusion

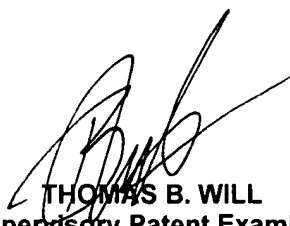
7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toni Newville whose telephone number is (571) 272 - 1548. The examiner can normally be reached on Monday - Friday 8 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on (571) 272-6998. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Toni Newville
December 19, 2005


THOMAS B. WILL
Supervisory Patent Examiner
Group 3600